

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>BENNY L. DIRCK</p>	<p>For U. S.:</p> <p>Nathan G. Graham</p> <p>For Defendant: 5-82-3164</p> <p>Dennis Downing (Ret.)</p> <p>Mid-Continent Bldg.</p> <p>Tulsa, Okla. 74103</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-72	Clerk					
J.S. 3 mailed 2-29-72	Marshal					
Violation Illegal interception of wire communication Title 18	Docket fee					
Sec. 2511						

DATE	PROCEEDINGS
1-25-72	Indictment, filed in open court. hm
1-25-72	Record vote of the grand jury, filed in open court. hm
1-25-72	Appearance bond of the deft. in the amt. of \$5,000, filed. hm
1-25-72	Order specifying methods and conditions of release, filed. hm
2-1-72	Deft. present in person and represented by Dennis Downing and Jack Mayberry, Retained counselors. The Govt. represented by Nathan G. Graham. Deft. advised of charge, waives the reading of the indictment. Deft. is arraigned and enters plea of <u>NOT GUILTY</u> . Deft. is given 5 days to file motions; Pltf. is given 3 days to respond, with all Motions to be heard by the Magistrate on 2-11-72. <u>Case set on Jury Docket of 2-14-72 at 9:30 A.M.</u> Deft. to remain on present bond. (AEB-J)v
2-8-72	Motion of the Deft. for Continuance, with brief, filed. v
2-8-72	Notice of Motion, filed. v
2-8-72	Motion of the Deft. for Bill of Particulars, with brief, filed. v
2-8-72	Motion of the Deft. for Discovery and Inspection with brief, filed. v
2-8-72	Motion of the Deft. to Supress, with Brief, filed. v
2-11-72	Ordered that Magistrate conduct hearing on deft's motion for

DATE	PROCEEDINGS
	continuance, motion for discovery & inspection & motion for bill of particulars. (AEB-J)hm
2-11-72	Case called for hearing on various motions. Attorneys state that all matters in possession of pltf.had been furnished to deft. & on motion made in open court by deft., all pending motions were withdrawn. (MLB-Mag)hm
2-11-72	Case called for Hearing on Deft.'s Motion to Suppress. Court called to order at 3:50 P.M. Deft. present and represented. Pltf. represented. Deft. calls first witness, George Haffner, Special Agent FBI. First witness also questioned by the Judge and Pltf.'s Attorney. Deft. call second witness, Mrs. Jeannette Dirck. Pltf. also questions 2nd witness. Pltf. files Exhibit #1, a Restraining Order filed 9-8-71, offered and admitted in open court. Hearing passed until 2-15-72, Tuesday, at 10:00 A.M. (AEB-J)v
2-14-72	Defendant xx It is ordered that case passed to Tues 2-15-72 for jury trial and hearing on def's motion to suppress.(AEB-J)h
2-15-72	Return on service of subpoena to testify, filed. Served Leonard McMillan in Tulsa on 2/14/72. (USM \$2.00) rm
2-15-72	Return on service of subpoena to testify, filed. Served Jack B. English in Tulsa on 2/14/72. (USM \$2.00) rm
2-15-72	Return on service of subpoena to testify, filed. Served James H. Bullard in Broken Arrow on 2/14/72. (USM \$4.64) rm
2-15-72	Defendant present in person and represented by Dennis Downing, Ed Parks, and Jack Mayberry, ret. counsel. The govt. rep. by Nathan G. Graham.
2-15-72	Hearing held on def's motion to suppress. Witnesses sworn: Jeanette Dirck, Leta Hall, Jms. H. Bullard. Motion taken under advisement and decision passed to 2-16-72 at 10:00 A.M. and jury trial. (AEB-J)h
2-16-72	Defendant Benny L. Dirck present in person and represented by Dennis Downing, Ed Parks and Jack Mayberry, retained counsel. Government's motion to dismiss is granted and order dismissing is signed and filed in open court. This case hereby dismissed, bond exonerated and defendant released.(AEB-J)h
2-16-72	Order of dismissal filed and entered. (AEB-J)h
3-15-72	Return on Subpoena to Testify, filed. Served James V. Day in Inola, Okla., on 2-14-72, with fees of \$11.36. v
3-15-72	Return on Sub. to Testify, filed. Served Lloyd Adams in Inola, Okla., on 2-14-72, with fees of \$2.00. v
3-15-72	Return on Subpoena to Produce Document or Object, filed. Served Buddy Curtiss in Claremore, Okla., on 2-14-72, with fees of \$2.00. v